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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,787	06/08/2000	John Buckle	0007056-0017/P4811/RSH	1504

32658 7590 10/23/2003  
HOGAN & HARTSON LLP  
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1200 SEVENTEEN ST.  
DENVER, CO 80202

EXAMINER
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HENEGHAN, MATTHEW E

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 10/23/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/589,787	BUCKLE, JOHN	
	Examiner	Art Unit	
	Matthew Heneghan	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 June 2000.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1-21 have been examined.
2. In examining the claims, it is being presumed, based upon the summary in page 10 of the specification, that the method of claim 1 and the apparatus of claim 15 operate in the context of a computer-based user interface.

### *Drawings*

3. The drawings are objected to because labels and reference characters are crossed out and/or overwritten in Figure 9. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(q) because there are no lead lines between the reference characters and their respective details in figures 1-8. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
5. Figures 1-4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Each of the figures is described

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in the "BACKGROUND ART" section of the specification. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,125,352 to Franklin in view of U.S. Patent No. 1,657,411 to Scherbius.

The network commerce system disclosed by *Franklin* includes a module for entering passwords for the purpose of generating an encryption key for credit cards, debit cards, etc.

As per claims 1, 8, and 15, the system disclosed by *Franklin* has a password entered twice. No mention is made, however, about how they would be displayed in the document. (see column 25, lines 2-9)

As per claims 2, 9, and 16, a decision is made depending upon whether or not the password has changed.

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As per claims 3, 10, and 17, the document is written in HTML (see abstract).

As per claims 4, 11, and 18, Franklin specifies that there are fields.

As per claims 5, 12, and 19, since data is being entered into the fields, they must be maintained.

As per claims 7, 14, and 21, the passwords are transformed into encryption keys when it is determined that they match.

*Scherbius* discloses a cipher machine that outputs characters that are changed from characters input from the keyboard into the machine (see page 2, lines 122-126).

As per claims 6, 13, and 20, the length of the output is the same as that of the input, as characters are generated on a one-for-one basis (see page 2, lines 122-126), and a counter is provided to verify the transmission length (see page 3, lines 33-40).

*Scherbius* further suggests that this is to cipher clear text (see page 1, lines 1-7) and to ensure that characters have not been lost in transmission (see page 1, lines 20-26).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the algorithm of the machine of *Scherbius* to display password characters to be enciphered by the system disclosed by *Franklin*, in order to ensure that no characters are lost.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,892,905 to Brandt et al. discloses a HTML application that maintains password information for several web sites that a user might wish to access.

U.S. Patent No. 5,900,004 to Gipson discloses methods for modifying fields in a document during data entry.

U.S. Patent No. 6,000,033 to Kelley et al. discloses a system for maintaining real and virtual passwords.

U.S. Patent No. 6,141,760 to Abadi et al. discloses a method for generating passwords to access different web sites.

U.S. Patent No. 6,173,402 to Chapman discloses methods for concealing data being entered into a system on a public network.

U.S. Patent No. 6,243,816 to Fang et al. discloses methods for maintaining passwords in a networked environment.

Japan Patent Publication No. 09-081521 to Akasaka discloses a system for producing substitute passwords.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan whose telephone number is (703)

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305-7727. The examiner can normally be reached on Monday-Thursday from 8:00 AM - 4:00 PM Eastern Time. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, DC 20231

**Or faxed to:**

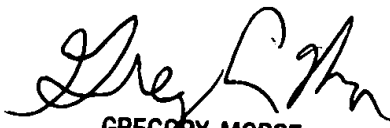
(703) 872-9306

Hand-delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive, Arlington, VA 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MEH

October 16, 2003

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100